

**COMMUNITY AFFAIRS**

**DIVISION OF HOUSING AND COMMUNITY RESOURCES**

**Homelessness Prevention Program**

**Proposed Readoption: N.J.A.C. 5:41**

Authorized By: Susan Bass Levin, Commissioner, Department of Community  
Affairs.

Authority: N.J.S.A. 27C-24, 52:27D-280

Proposal Number: PRN 2004-275

Calendar: Reference: See Summary below for explanation of exception to calendar  
requirement..

Submit written comments by September 17, 2004 to:

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**SUSAN BASS LEVIN, Commissioner**

The agency proposal follows.

## **Summary**

Pursuant to N.J.S.A. 52:14B-5.1, the Homelessness Prevention Program rules, N.J.A.C. 5:41, are scheduled to expire on July 19, 2005. The Department has reviewed these rules and finds that they continue to be necessary for the purpose for which they were promulgated and is therefore proposing that they be readopted without change.

Under the Prevention of Homelessness Act (1984), as implemented by N.J.A.C. 5:41, people who are homeless or in imminent danger of homelessness may receive temporary assistance to enable them to find or retain housing that they will, with the temporary assistance, be able to keep once the period of assistance has passed. Unlike the public welfare system, this program is not designed to help those who are chronically in need of assistance and is not funded at a level that would provide the help that such persons are likely to require. The rules include program eligibility requirements and habitability standards.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

## **Social Impact**

The program provides assistance that is designed to enable persons who are temporarily unable to obtain or retain housing with means otherwise available to them to do so. Failure to readopt the rules would have an adverse social impact in that it would

eliminate the standards and procedures under which homelessness prevention assistance is provided and would thereby contribute to increased homelessness.

### **Economic Impact**

In Fiscal Year 2003, the program spent \$2,530,276 to assist 1,608 households in avoiding homelessness. In the first ten months of Fiscal Year 2004, the program spent \$2,782,954 to assist 1,438 households.

### **Federal Standards Statement**

No Federal standards analysis is required because this rule is not being proposed for readoption under the authority of, or in order to implement, comply with or participate in any program established under, Federal law or a State law that incorporates or refers to Federal law, standards or requirements.

### **Jobs Impact**

The Department does not anticipate any net creation or loss of jobs as a result of the readoption of this chapter.

### **Agricultural Industry Impact**

The Department does not anticipate any impact upon the agricultural industry as a result of the readoption of this chapter.

### **Regulatory Flexibility Statement**

These rules affect persons who are homeless or imminently threatened by homelessness. They do not affect "small businesses," as defined in the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq.

### **Smart Growth Impact**

The Department does not anticipate any impact upon "smart growth" or the implementation of the State Development and Redevelopment Plan as a result of the readoption of these rules.

**Full text** of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 5:41.